

REMARKS:

Claims 1-6 have been examined. Claim 6 has been allowed. Claim 1 has been amended therein. Now, claims 1-6 are presently pending.

Allowable Subject Matter

Applicant thanks the examiner for allowing claim 6. In view of the present amendments and foregoing remarks, applicant believes that all pending claims are now allowable, and respectfully requests reconsideration of the rejections of claims 1-5.

Drawing Objections

The Office Action objected to the drawings for failure to include reference numbers. The attached set of replacement drawings amends each of the figures to include reference numbers for all claimed features. The attached substitute specification amends the specification to include corresponding reference numbers. Accordingly, withdrawal of the drawing objections is respectfully requested.

Specification

As detailed above, Applicant respectfully submits the enclosed substitute Specification whose marked-up and clean version are enclosed. The specification has been amended to be consistent with replacement drawings provided in response to the Office Action's objections to the previous drawings, as detailed below. No new matter has been added.

112 Rejections

The Office Action rejected claims 1-5 under 35 USC 112, second paragraph, as indefinite, stating that it is unclear as to "what (b) the body that is attached to the main housing to form a moisture tight seal with the main housing is referring to as recited in claim 1." Applicant respectfully traverses this rejection. Specifically, Claim 1 has been amended to delete the language pertaining to a moisture tight seal between the body and the main housing, and to more clearly specify the relationship between these two components, by reciting that the body "holds the film strips and is seated within the main housing." This configuration is shown in Figures

9A-9C of the drawings. The specification has been amended to conform with the new claim language. Accordingly, withdrawal of the 35 USC 112 rejections is respectfully requested.

103 Rejections

The Office Action rejected claims 1-5 as obvious under 35 U.S.C. 103(a) over US 7,661,555 (“Evans”) in view of 2009/0302048 (“Nobilet”) and US 3,986,479 (“Bonk”). Applicant respectfully traverses this rejection.

Claim 1, as amended, now recites “a main housing with an integrally attached hinged lid attached to the housing about a first hinge point...a portion of the opening acts as a second hinge point, which is separate and displaced from the first hinge point, for the flexible arm.”

Applicant’s dispenser thus includes two separate and displaced hinge points: one that attaches the lid to the housing and one that acts on the flexible arm.

In contrast, Evans, cited as teaching the claimed hinge point, only includes a single “hinge point” at living hinge 32, which acts between the extension 5, cited as equivalent to the claimed “flexible arm” and bottom of the container 8, cited as equivalent to the claimed “main housing.” Evans further fails to teach a “body that holds the film strips and is seated within the main housing.” The Office Action states that Evans’ cover 2 is equivalent to the claimed body, but this component neither holds strips nor is seated within the main housing, as claimed.

In addition, it is noted that each of dependent claims 2-5 depends (directly or indirectly) from the independent claim 1. Thus, while various features recited in these dependent claims may be patentably distinct on their own, it will simply be noted here that each of these dependent claims is submitted to be patentably distinct for at least the same reasons as the independent claim from which it depends.

Accordingly, withdrawal of all 35 USC 103 rejections is respectfully requested.

Since, as detailed above, each and every rejection raised in the Office Action has been overcome and/or rendered moot, Applicant respectfully submits that the above-identified application is now in condition for allowance.

Additionally, this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

In view of the foregoing amendments and remarks, Applicant's attorney respectfully requests allowance of now pending claims. If such action cannot be taken, however, the Examiner is cordially invited to place a telephone call to Applicant's attorney to resolve any outstanding issue without the issuance of a further Office Action.

Favorable consideration is earnestly solicited.

Respectfully submitted,
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